

**Frederick County Ethics Commission**  
**Minutes for the Public Meeting of Wednesday, August 9, 2017**

Present:       Stephen K. Hess, Chair  
                  Timothy J. Tosten, Vice Chair  
                  M. Shane Canfield, Commission Member  
                  Christopher D. Glass, Sr., Commission Member  
                  Ernest A. Heller, Commission Member  
                  Deborah L. Lundahl, Commission Member  
                  Alan Shapiro, Commission Member  
                  Deidre R. Davidson, Alternate Commission Member  
                  Linda B. Thall, Senior Assistant County Attorney

The meeting of the Frederick County Ethics Commission began at 7:00 p.m. on August 9, 2017, in the Winchester Room on the 2<sup>nd</sup> floor of Winchester Hall, 12 East Church Street, Frederick, Maryland 21701.

**Approval of minutes** – The draft minutes from the July 12, 2017 meeting were emailed to the members before the meeting.

**MOTION:**   Mr. Heller made a motion to approve the minutes as drafted. The motion was seconded by Ms. Lundahl and the motion was approved unanimously.

**Distribution of Public Ethics Report** – The Public Ethics Report to the Ethics Commission from the Office of the County Executive for the first half of 2017 was provided to the members. There was a general discussion of the requirements of the Public Ethics Law and the purpose for the report.

**Discussion of financial disclosure statements** – The annual financial disclosure statements of elected and appointed officials and covered County employees were distributed at the July meeting. The members identified those disclosure statements requiring further discussion and attention and provided direction as to the necessary follow up needed.

The members noted that many of the disclosure statements were incomplete and asked that the persons submitting the statements be contacted and asked to provide the missing information. The members noted that the more detailed statements completed by elected officials and designated appointed officials were difficult to review for potential conflicts as there was no indication on the statements as to the official's position with Frederick County. They directed that the forms be revised to ensure that the information is more readily available in the future.

Some of the disclosure statements discussed involved outside employment and whether that employment could result in conflicts of interest. Some of these questions were answered at the meeting to the satisfaction of the Commission members.

**MOTION:** Mr. Shapiro made a motion to have the Commission contact a member of a County Commission to obtain more information about the nature of the individual's business and whether there were potential or existing conflicts of interest. Mr. Glass seconded the motion, which was approved unanimously.

**Discussion of annual training on the Ethics Law** – The Ethics Commission continued its discussion of the need for training on the Ethics Law. Mr. Hess reported back to the Commission on his discussion with Robert Cobb, the Counsel to the Montgomery County Ethics Commission. Mr. Hess distributed copies of a written summary of his discussion with Mr. Cobb, a brochure published by Montgomery County's Ethics Commission and an interactive training program available to Montgomery County employees.

The members agreed that the Commission should work on creating a brochure similar to the one used by Montgomery County, but recognized the need to revise the brochure to adapt it to the Frederick County Ethics Law.

**MOTION:** Mr. Hess made a motion to have two members volunteer to work on revising the Montgomery County Ethics Commission's brochure to determine what parts of the brochure are not applicable to Frederick County and what information should be added to the brochure. During the discussion on the motion, Mr. Heller and Ms. Davidson volunteered. Mr. Glass seconded the motion, which was approved unanimously.

The Commission determined that it should have a training proposal ready to transmit to the County Executive in December. To the extent that the Ethics Task Force recommended training on the Ethics Law, the Commission wants to include that information in its proposal.

**Financial disclosure forms** – The Commission agreed to discuss changes to the current financial disclosure statements at its next meeting.

**State legislation regarding the Liquor Board** – As of October 1, the County Liquor Board and its staff will be covered by the State Ethics Law. That Board and its staff are currently covered by the County Ethics Law and the Board members and the inspectors file annual financial disclosure statements with the County Ethics Commission. With the new State Law, the Board members and all of the Board's employees must file financial disclosure statements with the State Ethics Commission. At the last meeting, the members discussed whether to recommend a change to the County's Ethics Law to exclude the Liquor Board and its staff from its coverage. Before the August meeting, the members were provided with a copy of the financial disclosure statement used by the State so that the State and County disclosure forms could be compared.

**MOTION:** Mr. Heller made a motion not to recommend a change to the Ethics Law. In lieu of requiring the Liquor Board members and the inspectors to file both County and State financial disclosure forms, Mr. Heller proposed that the Liquor Board members and the inspectors be asked to provide the County Ethics Commission with copies of the disclosures they submit to the State. Mr. Shapiro seconded the motion. Mr. Hess, Mr. Glass, Mr. Heller, Ms. Lundahl and Mr. Shapiro voted in favor of the motion. Mr. Tosten and Mr. Canfield voted against the motion.

**County legislative package** – The County Executive contacted the Ethics Commission to solicit suggestions for inclusion in the County’s legislative package for the 2018 General Assembly session. The County Executive’s deadline for submission is August 25. The Commission had no requests for changes to State law. Mr. Tosten asked that this subject be scheduled on an annual basis as a Commission agenda item for February or March. This would give the Commission more time to consider future legislative requests.

**Ethics nominating committee appointment** – The League of Women Voters contacted Mr. Hess to find out which Ethics Commission member should serve on the nominating committee for the next year. Mr. Heller volunteered to serve on the nominating committee.

### **Adjournment**

**MOTION:** Mr. Tosten made a motion to adjourn the meeting. Mr. Shapiro seconded the motion, which was unanimously approved.

The Ethics Commission adjourned its meeting at 8:50 p.m.

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/s/  
Linda B. Thall, Senior Assistant County Attorney